

REMARKS

Claims 26, 28, 40, and 42 are pending in this application. No claims are amended herein, and no new matter has been added.

Double Patenting Rejection

Claim 42 is rejected under 35 USC 101 as claiming the same invention as that of claim 25 of prior US Patent No. 11/748,096. Applicants note that 11/748,096 is, at this time, a pending U.S. application that has not yet issued as a U.S. Patent. As such, the non-provisional double patenting rejection under 35 USC 101 is inappropriate and should be withdrawn.

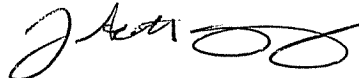
Claims 26, 28, 40 and 42 are provisionally rejected on the grounds of nonstatutory obviousness-type double patenting over claims 1-2, 4, 10-18, 24, 25 and 28 of copending Application No. 11/748,096. A terminal disclaimer referencing application 11/748,096 is being filed in conjunction with this response. The terminal disclaimer obviates the obviousness-type double patenting rejection.

Conclusion

Applicants assert that the instant application is in condition for allowance, and such allowance is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge any fees or credit any overpayment, particularly including any fees required under 37 CFR Sect 1.16 or 1.17, and any necessary extension of time fees, to deposit Account No. 07-1392. The Examiner is invited to contact the undersigned at (919) 483-8160, to discuss this case, if desired.

Respectfully submitted,



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